

1 K. RYAN HELMICK, ESQ.
2 Nevada State Bar No. 12769
3 LAW OFFICE OF RYAN HELMICK, P.C.
4 6830 S. Rainbow Blvd. Ste. 200-A
5 Las Vegas, Nevada 89118
(702) 435-6425
6 Ryan@thedefensefirm.com
Attorney for Defendant

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 UNITED STATES OF AMERICA)
10 Plaintiff,) CASE NO.: 2:19-cr-00032-RFB-VCF
11 vs.)
12 PATTI A. KERN,)
13 Defendant.)
14

STIPULATION TO CONTINUE SENTENCING
(Eighth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich,
17 United States Attorney, Christopher Chiou, Assistant United States Attorney, and United States
18 Department of Justice Trial Attorneys Timothy Finley and Daniel Zytnick, and K. Ryan Helmick,
19 Esq., of the LAW OFFICE OF RYAN HELMICK, P.C., counsel for Defendant, Patti A. Kern, that
20 the sentencing currently set for August 14, 2023, be vacated and continued until approximately
21 February 2024 by this Honorable Court.

22 This Stipulation is entered into based on the following reasons:

- 23 1. Counsel for the Defendant has spoken to the Defendant and the Defendant has no
objection to the requested continuance;
- 25 2. Counsel for the Defendant has spoken to counsel for the Government and he has no
objection to the requested continuance;
- 27 3. The Defendant is still cooperating with the Government and it is anticipated that her
testimony may be needed for purposes of trial in *United States v. Castro, et al.*, 2:19-
cr-0295-GMN-NJK, now set a competency hearing on August 22, 2023
- 1
2 4. Denial of this request for continuance would result in a miscarriage of justice;
- 3 5. For all of the above-stated reasons, the ends of justice would be best served by a

4 continuance of sentencing date until after the *Castro* trial is concluded;

5 6. This is the eighth request for a continuance of the sentencing date in this case.

1 6 DATED this 27th day of July, 2023

8 NICHOLAS A. TRUTANICH
UNITED STATES ATTORNEY

LAW OFFICE OF RYAN HELMICK, P.C.



10 /s/ Timothy Finley
11 TIMOTHY FINLEY
12 DANIEL ZYTNICK
13 Trial Attorneys
14 US Department of Justice
15 P.O. Box 386
16 Washington, D.C. 20044
17 Attorney for Plaintiff
18 (202) 307-0050, (202) 598-8337

K. RYAN HELMICK, ESQ.
Nevada State Bar No. 12769
LAW OFFICE OF RYAN HELMICK, P.C.
6830 S. Rainbow Blvd. Set. 200-A
Las Vegas, Nevada 89118
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UNITED STATES OF AMERICA)
Plaintiff,) CASE NO.: 2:19-cr-00032-RFB-VCF
vs.)
PATTI A. KERN,)
Defendant.)

FINDINGS OF FACT

Based upon the pending Stipulation or the parties, and good cause appearing therefor, the Court find that:

1. Counsel for the Defendant has spoken to the Defendant and the Defendant has no objection to the requested continuance;
 2. Counsel for the Defendant has spoken to counsel for the Government and he has no objection to the requested continuance;
 3. The Defendant is still cooperating with the Government and it is anticipated that her testimony may be needed for purposes of trial in *United States v. Castro, et al.*, 2:19-cr-0295-GMN-NJK, now set for a competency hearing on August 22, 2023.

CONCLUSIONS OF LAW

- 22 1. Denial of this request for continuance would result in a miscarriage of justice;
- 23 2. For all of the above-stated reasons, the ends of justice would be best served by a
- 24 continuance of sentencing date;
- 25 3. This is the eighth request for a continuance of the sentencing in this
- case.

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1 ORDER

2 IT IS THEREFORE ORDERED that the sentencing currently scheduled for August 14,
2023 at 10:30 a.m. in Courtroom 7C be continued to February 15th of 2024 at 8:30 a.m.

5 DATED this 31st day of July, 2023.

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7 
8 UNITED STATES DISTRICT JUDGE

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